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September 23, 1998

Re: License Restructuring in the Amateur Radio Service.
NPRM, WT Docket No. 98-143, Section E, Telegraphy Examination
Requirements, paragraphs 19 to 25.

Dear Mr. Chairman and Commissioners:

I commend the ARRL's board of directors for proposing changes intended to simplify and modernize the licensing structure and regulations governing the Amateur Radio Service. However, while there is much in the ARRL's proposal that is good, I feel that it stops somewhat short of what is really required to completely accomplish the desired goals of simplifying amateur licensing and rejuvenating the Amateur Radio Service in preparation for the 21st century.

The ARRL proposal calls for a "Class C" license with privileges similar to today's General class, but with only a 5 wpm Morse test, compared with the present General class requirement of 13 wpm. I applaud the ARRL board for making this brave decision. However, I note that the ARRL's proposed "Class B" (similar to today's Advanced class) and "Class A" (similar to today's Extra class) license classes would require a 12 wpm Morse test.

I see absolutely no justification for these two classes to require a 12 wpm Morse test and believe that there is no reason not to, and every reason to, limit Morse testing for all classes of amateur license to a 5 wpm speed until the ITU treaty obligation is lifted. The sole remaining reason for retaining any Morse code examinations at all stems from that 50 year old regulation now called "S25.5" in the ITU treaty which requires manual Morse proficiency to be demonstrated before a license can be issued for operation in amateur spectrum below 30 MHz.

S25.5 specifies no specific speed which must be demonstrated by an applicant, thus a 5 wpm Morse examination amply fulfills the requirements of the ITU treaty obligation. In addition to removing an unnecessary, restrictive, and artificial barrier to advancement, having a single 5 wpm Morse requirement for all license classes authorized to operate below 30 MHz will reduce the testing and record keeping burden on the Volunteer Examiners, Volunteer Examiner coordinators, and the Commission.

While I recognize that many current amateur licensees enjoy the use of Morse code on the amateur bands, I also recognize and accept that the time has past for Morse testing to stand as a "Rite of Passage" into the amateur community.

I do not at all oppose the use of Morse code in the amateur bands by those amateurs who choose to use that mode, I just don't believe that Morse code is an important enough factor in today's world that it should be a licensing criterion at any level beyond the absolute minimum required by international regulations.

I do not believe that the Commission's legitimate regulatory objectives include the maintenance of traditional "Rites of Passage" which strongly resemble fraternity hazing rituals and unnecessarily restrict entry into amateur radio by otherwise competent individuals.

Given that Morse code speeds over 5 wpm should be irrelevant for amateur licensing in today's world, I feel that the ARRL proposal contains one license class more than is really necessary. I also note that most other countries have two license classes at most and many have only a single class of amateur license. I see no advantage in, or need for, such a large number of license classes and feels that three license classes are quite sufficient to provide for both an entry level and a path for advancement.

I therefore proposes that the FCC adopt a simplifying modification to the ARRL proposal, which would combine the ARRL's proposed "A" and "B" classes into a single Class A license class with the combined privileges of the ARRL's proposed "A" and "B" classes, a combined written test, and a 5 wpm Morse code requirement. If the Commission decides to adopt this recommendation, it follows logically that the ARRL's "C" class would become Class B and the ARRL's "D" class would become Class C, with each having the same privileges and testing requirements as was proposed in the ARRL's proposal.

I believe that the resulting system, with three license classes with progressively difficult written examinations on radio and electronics theory and a single 5 wpm Morse code test for Class A and Class B to meet the current obligations under the ITU treaty would be the best solution for the foreseeable future for the Amateur Radio Service.

I further note that there is a significant movement worldwide to modify the ITU treaty to delete the S25.5 requirement for Morse tests entirely. Numerous national radio societies have stated their intent to lobby their administrations to support the deletion of S25.5 at the earliest possible World Radio Conference. Some administrations are already taking steps to reduce Morse testing requirements. Deletion of S25.5 from the ITU treaty would eliminate any obligation to require any Morse testing at all.

I therefore request that the Commission also incorporate a "sunset clause" into the language of such new rules as may be enacted, specifying that all Morse testing requirements will automatically cease upon the ratification of an amendment to the ITU treaty removing the S25.5 requirement for Morse testing. This approach will not only result in compliance with treaty obligations today, it will eliminate the need for further action by the Commission at such time in the future as there is no further international treaty requirement for Morse testing.

In summary:

1. I agree with the FCC's assessment (NPRM 98-143 Para. 19-21) as to the decreasing role of Morse code in contemporary communications.
2. I believe the use of Morse code by amateurs is now totally within the confines of recreational purposes only.
3. I believe that there is no longer any public/governmental interest

served by requiring Morse code testing.

4. I also recognize the existence of the international Radio Regulations, Article S25.5, (NPRM Para. 22) and suggest an interim requirement of ONLY a single code test with only the minimum speed necessary to meet international treaty requirements, but in no case, more than five (5) WPM for all HF license classes until such time as Article S25.5 is deleted.

5. A single minimum code speed examination would also eliminate the need to grant medical waivers to disabled amateurs for the higher speed telegraphy requirements. (NPRM Para. 25 and RM-9196)

6. I suggest that any interim code requirement used to fulfill the international Radio Regulations, Article S25.5, be written to include language that would automatically end the interim code requirement within three (3) months or less of the ending/elimination of Article S25.5.

7. As a result of all Morse code testing being 5 WPM and considering the small difference in privileges between the Advanced and Amateur Extra Class, I believe only three license classes are needed. These classes would correspond to the current Technician, General and Amateur Extra Class.

Respectfully submitted,

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